

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

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Patent- und Rechtsanwältssozial
Maucher, Börjes & Kollegan

EINGANG 18. OKT. 2006

FRIST.....
notiert.....

Date of mailing (day/month/year)
12 October 2006 (12.10.2006)

Applicant's or agent's file reference
PC 05 022 M

IMPORTANT NOTIFICATION

International application No.
PCT/EP2005/001547

International filing date (day/month/year)
16 February 2005 (16.02.2005)

Applicant

BRÜDER NEUMEISTER GMBH et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PC 05 022 M	FOR FURTHER ACTION	See item 4 below
International application No. PCT/EP2005/001547	International filing date (<i>day/month/year</i>) 16 February 2005 (16.02.2005)	Priority date (<i>day/month/year</i>) 24 February 2004 (24.02.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant BRÜDER NEUMEISTER GMBH		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*. 1(a).

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input checked="" type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 04 October 2006 (04.10.2006)
Facsimile No. +41 22 338 82 70	Authorized officer <div style="text-align: center; font-weight: bold;">Agnes Wittmann-Regis</div> e-mail: pr06@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

TRANSLATION

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **See form PCT/ISA/210**

Applicant's or agent's file reference

PC 05 022 M

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/EP2005/001547

International filing date (day/month/year)

16.02.2005

Priority date (day/month/year)

24.02.2004

International Patent Classification (IPC) or both national classification and IPC

B41F33/00

Applicant

BRÜDER NEUMEISTER GMBH

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis 1(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/001547

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/001547

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	_____	YES
	Claims	_____	NO
Inventive step (IS)	Claims	_____	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	_____	YES
	Claims	_____	NO

2. Citations and explanations:

1. Reference is made to the following documents:

D1: EP-A-0864422 /

D2: DE-A-3736629 /

D3: XP008014435 "How to Calibrate and Linearize an
Imagesetter Using the Digital UGRA/FOGRA Wedge /

D4: EP-A-0825022 /

D5: US-A-4665824 /

2. The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 1, 4, 6-8, 10, 12, 14, 20, 22, 23 and 27 is not novel within the meaning of PCT Article 33(2).

2.1 Document D1 discloses (see the references in the search report) an apparatus for determination of the quality of the imaging of printing plates by means of an optoelectronic measured-value transmitter (densitometer 400) for detection of a measurement mark (wedge 700) which is arranged outside the equipment mirror and has different measurement fields, and having an evaluation device (1120) for evaluation of the measured values determined by the

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/001547

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

measured-value transmitter, with the measured-value transmitter being designed to detect two measurement marks which are arranged on the printing plate (see column 18, lines 52-57), with the measurement marks each having a measurement field combination comprising at least one tone-value measurement field and at least one structured measurement field (microlines 760).

Although the measured-value transmitter detects only the tone-value measurement fields in document D1, while the structured measurement fields are observed visually by the operator, D1 nevertheless anticipates the subject matter of claim 1 because, although the wording of claim 1 requires the detection of the measurement mark, it is not necessarily dependent on the detection of all of its components. Furthermore, it should be noted that a densitometer is always able to detect a measurement field comprising microlines, in the course of its densitometric capabilities.

For the above reasons, document D1 also anticipates the method according to claim 14.

The measurement mark according to claim 20 is likewise not novel in comparison to D1.

A printing plate according to claim 27 can be found in figure 9 in D1.

The disclosure in document D1 also anticipates the features of dependent claims 4, 6-8, 10, 12, 22 and 23.

2.2 Document D2 discloses an apparatus for determination

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/001547

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

of the surface coverage of a printing plate, which can also be used for determination of its quality, having a measured-value transmitter (sensor 8) and, implicitly, an evaluation device, with the sensor detecting the surface coverage of various measurement fields, which may also include structured fields.

In consequence, document D2 anticipates the subject matter of claim 1.

2.3 Documents D3 and D4 likewise disclose the features of claims 20, 22 and 23.

3. Dependent claims 2, 3, 5, 9, 11, 13, 15-19, 21 and 24-26 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements for inventive step (PCT Article 33(3)) since they are obvious from documents D1 and D5, or from expert knowledge.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/001547

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Document D1 should have been mentioned in the description
(PCT Rule 5.1(a)(ii)).